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DIS. CT. # 01-65775

NOT RECOMMENDED FOR FULL-TEXT PUBLICATION

No. 03-3722

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

FILED

AUG 24 2004

LEONARD GREEN, Clerk

AIRLINE PROFESSIONALS ASSOCIATION)
TEAMSTERS LOCAL UNION NO. 1224,)
AFFILIATED WITH THE INTERNATIONAL)
BROTHERHOOD OF TEAMSTERS,)
AIRLINE DIVISION, AFL-CIO,)

Petitioner-Appellant,)

v.)

ABX AIR, INC.,)

Respondent-Appellee.)

1:01cv775

On Appeal from the United
States District Court for the
Southern District of Ohio

Before BOGGS, Chief Judge; DAUGHTREY, Circuit Judge; and WISEMAN, District
Judge.¹

PER CURIAM. Having had the benefit of oral argument, and having studied the record on appeal and the briefs of the parties, we are not persuaded that the District Court erred in granting Defendant's Motion for Summary Judgment. The District Court was clearly correct in determining that the dispute between the parties constitutes a "minor dispute" under the Railway Labor Act and is subject to mandatory arbitration. Because the reasons supporting this conclusion have been fully articulated by the District Court, the issuance of a detailed opinion by this Court is unnecessary. Finally, in affirming the District Court's decision, this court expresses no opinion on the merits of the Appellant's case as it proceeds to arbitration. The judgment of the District Court is **AFFIRMED**.

¹The Honorable Thomas A. Wiseman, Jr., Senior United States District Judge for the Middle District of Tennessee, sitting by designation.